

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

GREGORY MCNEILL and WILMA
ARMER, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

OPENMARKET INC., a Michigan
corporation, SPRINT SPECTRUM, L.P., a
Delaware limited partnership, NEXTEL
WEST CORPORATION, a Delaware
corporation,

Defendants.

SPRINT SPECTRUM, L.P., a Delaware
limited partnership, and NEXTEL WEST
CORP., a Delaware corporation,

Cross-Claimants,

v.

OPENMARKET INC., a Michigan
corporation,

Cross-Defendant.

No. CV 08-01731-RSL

**[PROPOSED] ORDER DENYING
SPRINT'S MOTION FOR
REIMBURSEMENT OF
ATTORNEYS' FEES AND COSTS**

1 OPENMARKET INC., a Michigan
2 corporation,

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4 Cross-Claimant.

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6 v.

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8 SPRINT SPECTRUM, L.P., a Delaware
9 limited partnership, and NEXTEL WEST
10 CORP., a Delaware corporation,

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12 Cross-Defendants.
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15 This matter coming before the Court pursuant to Sprint Spectrum L.P.'s ("Sprint")
16 Motion for Reimbursement of Attorneys' Fees and Costs, OpenMarket Inc.'s Opposition to
17 Sprint's Motion for Reimbursement of Attorneys' Fees and Costs, having considered the parties'
18 submissions, this Court hereby DENIES Sprint's motion for reimbursement of attorneys' fees
19 and costs.
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25 IT IS SO ORDERED.

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27 DATED this _____ day of _____, 2010.
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31 _____
32 UNITED STATES DISTRICT JUDGE
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34 Presented by:

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36 GORDON TILDEN THOMAS & CORDELL LLP
37
38

39 By /s/ Jeffrey M. Thomas _____
40 Jeffrey M. Thomas, WSBA No. 21175
41 Mark A. Wilner, WSBA No. 31550
42 Attorneys for Defendant OpenMarket, Inc.
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CERTIFICATE OF SERVICE

I hereby certify that on January 19, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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[Proposed Order Denying Sprint's Motion]